

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-against-

KAREEM FORD,

Defendant.

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GLASSER, United States District Judge

ORDER
04 CR 146 (S-1) (ILG)

In a letter dated September 1, 2005, counsel for the defendant requested an adjournment of his client's sentence scheduled for September 6th until November 10, 2005.

By an endorsement on that letter, his request was granted and marked "final" and the Court added, "There will be no further adjournment application which will be entertained. So Ordered. 9/6/05."

In a letter dated November 6, 2005, addressed to my courtroom deputy and notwithstanding my prior order of September 6th, yet another request for an adjournment is made by counsel. This request is denied and the defendant and his counsel are to appear for sentencing at 10 a.m. on November 10, 2005.

In a submission dated November 2, 2005, filed *ex parte* and under seal, defense counsel who was initially retained, makes an application to be relieved as retained counsel and be appointed pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A(c). Because the government is entitled to be heard on such applications, see United States v. Hilsen, 2004 WL 2284388 (S.D.N.Y. 2004), and United States v. Herbawi, 913 F. Supp. 170, 173 (W.D.N.Y. 1996), his unilateral *ex parte* filing under seal is unwarranted.

The government will be given the opportunity to address his application at the hearing scheduled for November 10, 2005. His application is hereby directed to be filed and a copy made available to the government.

SO ORDERED.

Dated: Brooklyn, New York
November 4, 2005

S/ _____
I. Leo Glasser